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**BY EMAIL**

Honorable Paul A. Crotty  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

January 16, 2013

The request to opt out of the 1983 Plan is GRANTED. The initial conference will go forward on Thursday, January 31, 2013 @ 4:45 PM in Courtroom 11-D. The joint letter and proposed civil case management plan due one day in advance of the IPTC. See Rule 6G of my individual practices.

Re: Ricky Walker v. City of New York, et al.  
12-CV-5902 (PAC)

SO ORDERED: 1-22-13

HON. PAUL A. CROTTY  
UNITED STATES DISTRICT JUDGE

Your Honor:

I am the Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department assigned to handle the defense of the above-referenced matter which is currently participating in the Southern District of New York's Plan for Certain Section 1983 Cases against The City of New York (the "1983 Plan"). In that capacity, I write on behalf of the parties to respectfully request that the 1983 Plan designation under the Local Rules for the Southern District of New York be removed from this action, and that the Court schedule an Initial Conference to set a discovery schedule to advance this litigation.

The reason for this request is that after reviewing the case and participating in the limited discovery as contemplated by the 1983 Plan, defendants have decided to take a no pay position in this case. The undersigned conveyed defendant's position to plaintiff's counsel on January 14, 2013. The parties agree that because defendant is not interested in settlement at this time, it would be more efficient to proceed with this litigation rather than attend the mediation session currently scheduled for January 25, 2013.

Should the Court grant defendant's request to opt out of the 1983 Plan, the parties respectfully request that an initial conference be scheduled in this matter at a time convenient to this Court.

MEMO ENDORSED

I thank the Court in advance for its time and consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Carolyn K. Depoian', written in a cursive style.

Carolyn K. Depoian  
Assistant Corporation Counsel  
Special Federal Litigation Division

cc: Rose Weber, Esq. (by email)  
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